

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

David M. Martinko

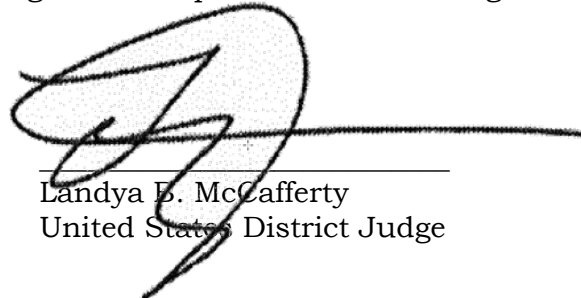
v.

Case No. 22-cv-238-LM-AJ

NH Department of Corrections, et al.

ORDER

No objection having been filed, I herewith approve the Report and Recommendation of Magistrate Judge Andrea K. Johnstone dated January 6, 2026. For the reasons explained therein, plaintiff's motion to join Deborah Hussey, Joanne Azonabor, Kristin Zaleski, Hather MacFarland, and John Kostandin as new defendants in their individual and official capacities, or to substitute them for the John Does in the Complaint (Doc. No. 130) is DENIED. "[O]nly those issues fairly raised by the objections to the magistrate's report are subject to review in the district court and those not preserved by such objection are precluded on appeal." School Union No. 37 v. United Nat'l Ins. Co., 617 F.3d 554, 564 (1st Cir. 2010) (quoting Keating v. Secretary of Health & Human Servs., 848 F.2d 271, 275 (1st Cir.1988)); see also United States v. Valencia-Copete, 792 F.2d 4, 6 (1st Cir. 1986) (after proper notice, failure to file a specific objection to magistrate's report will waive the right to appeal).



Landya B. McCafferty  
United States District Judge

Date: February 12, 2026

cc: David M. Martinko, pro se  
Counsel of Record